

**FILED**

SEP 03 2008

CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
BY *Tyl* DEPUTY

*USA RD*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Alba ARREGUIN-Perez

Defendant.

Magistrate Case No.: **'08 MJ 8802**

COMPLAINT FOR VIOLATION OF

21 U.S.C. § 952 and 960  
Importation of a Controlled Substance  
(Felony)

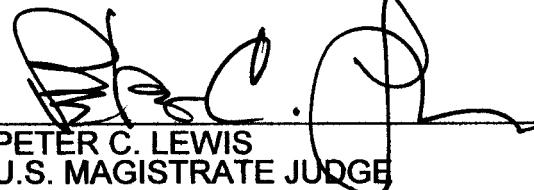
The undersigned complainant being duly sworn states:

On or about September 2, 2008, within the Southern District of California, defendant Alba ARREGUIN-Perez did knowingly and intentionally import approximately 43.40 Kilograms (95.48 pounds) of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

  
Douglas A. Struckmeyer  
Special Agent  
U.S. Immigration & Customs  
Enforcement

SWORN TO, BEFORE ME, AND SUBSCRIBED IN MY PRESENCE THIS 3<sup>rd</sup>  
DAY OF SEPTEMBER, 2008.

  
PETER C. LEWIS  
U.S. MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA  
2 v.  
3 Alba ARREGUIN-Perez

4  
5 STATEMENT OF FACTS  
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8 This complaint is based upon the personal observations, investigation and  
9 information provided to U.S. Immigration and Customs Enforcement Special Agent  
10 Douglas Struckmeyer.

11 On September 2, 2008, Alba ARREGUIN-Perez entered the United States at the  
12 Calexico, California East Port of Entry. ARREGUIN was the driver and sole occupant of  
13 a 1997 Chrysler Concorde registered in her name. At the time of her entry, Customs  
14 and Border Protection Officer (CBPO) S. Baca and Canine Enforcement Officer (CEO)  
15 R. Navarro were conducting pre-primary inspection operations. During the pre-primary  
16 operations, CEO Navarro used his Narcotic Detector Dog (NDD) to screen  
17 ARREGUIN's vehicle. The NDD alerted to the passenger side door of the vehicle,  
18 indicating the presence of the odor of a controlled substance in that area.

19 CBPO Baca began to conduct a primary inspection of ARREGUIN and the  
20 vehicle. CBPO received a negative Customs declaration from ARREGUIN.  
21 ARREGUIN told CBPO Baca that she had owned the vehicle for two months. CBPO  
22 Baca noticed that ARREGUIN's hands were visibly shaking as she handed him her  
23 documents.

24 Upon searching the vehicle, CBPO Baca observed a non-factory compartment  
25 located behind the rear seat of the vehicle. Upon encountering the compartment,  
26 CBPO Baca handcuffed ARREGUIN and escorted her to the vehicle secondary office.  
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1 A further search of the vehicle resulted in the discovery of 41 packages  
2 concealed within the non-factory compartment. The packages contained a green leafy  
3 substance which field-tested positive for marijuana. The total weight of the packages  
4 was 43.40 Kilograms (95.48 pounds).

5 Special Agents (SA) Struckmeyer and Lewenthal responded to the Port of Entry  
6 and interviewed ARREGUIN. ARREGUIN told SA's Struckmeyer and Lewenthal that  
7 she purchased the vehicle from a friend named "ANDRES". She has known "ANDRES"  
8 for more than a year and that ANDRES is a drug smuggler. He has repeatedly asked  
9 her to smuggle drugs into the United States, but she has declined.  
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11 She recently agreed to smuggle cans of freon gas into the United States for  
12 \$1,000 for Andres. She saw another drug smuggler put six cans of freon into the  
13 vehicle, but she also saw the same person take the cans out of the vehicle before she  
14 left for the Port of Entry. Based on the circumstances, she was suspicious that the  
15 vehicle may contain drugs, but she did not know for sure.  
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